

**REMARKS**

**I. Formal Matters**

Claims 1-5 and 7-50 are all the claims pending in the present Application. By this Amendment, Applicants editorially amend claims 1, 32 and 40. The amendments to claims 1, 32 and 40 were made for reasons of precision of language and consistency. By this amendment, Applicants also cancel claim 6.

**II. Rejections Under 35 U.S.C. § 102**

**The Ueda Reference**

The Examiner has rejected claims 1-4, 12, 29 and 46 under 35 U.S.C. § 102(b) as allegedly being anticipated by Ueda et al. (U.S. Patent No. 6,377,743).

The Examiner has also objected to claims 6, *inter alia*, as being dependent upon a rejected base claim, but indicated that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim.

With respect to claim 1, Applicants rewrite claim 1 to include the subject matter of dependent claim 6. As such, Applicants respectfully assert that claim 1 is in condition for allowance.

With regard to claims 2-4, 12, 29 and 46, these claims depend from independent claim 1. Thus, Applicants respectfully assert that these claims are allowable at least by virtue of their dependency from claim 1.

**The Hirayama Reference**

The Examiner has rejected claims 1-3, 12, 29 and 46 under 35 U.S.C. § 102(b) as allegedly being anticipated by Hirayama et al. (U.S. Patent No. 6,655,433).

As described with respect to Ueda above, Applicants rewrite claim 1 to include the subject matter of dependent claim 6. As such, Applicants respectfully assert that claim 1 is in condition for allowance.

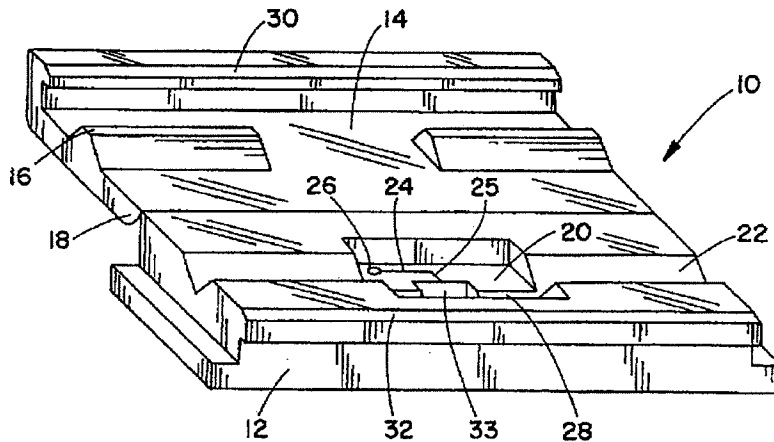
With regard to claims 2-3, 12, 29 and 46, these claims depend from independent claim 1. As such, Applicants respectfully assert that these claims are allowable at least by virtue of their dependency from claim 1.

*The Harman Reference*

Claims 32-35, 37, 38, 43, 49 and 50 have been rejected under 35 U.S.C. § 102(b) by the Examiner as allegedly being anticipated by Harman et al. (U.S. Patent No. 5,717,813). Applicants respectfully disagree.

With regard to claim 32, Harman fails to disclose, or even suggest, at least “a pressing body ... **wherein the planar clamp portion is in contact with a portion of the optical fiber that is arranged in the first groove.**”

With regard to claim 32, the Examiner alleges that the base portion 12 corresponds to the fixing body, wherein the fixing body includes V-grooves 28 and 22, which are allegedly arranged in parallel and made to support the optical fiber in the axial direction. The Examiner further argues that the lid 14 corresponds to the pressing body, wherein the pressing body comprises a flat portion (the alleged planar clamp portion) and a protrusion 16 for holding the optical fibers within the groove 22 (the alleged guide portion). These elements are illustrated in FIG. 1 of Harman, which is reproduced below for the Examiner's convenience.



However, even if, *arguendo*, the Examiner's position as described above was correct, Harman does not disclose the **"the planar clamp portion [being] in contact with a portion of the optical fiber that is arranged in the first groove."** Instead, the protrusions 16 of Harman are used to press the fiber into the alleged second groove 22. As described in Harman, "when the lid 14 is closed, on the base portion 12, holding means shown as protrusions 16 in the lid abut and hold optical fibers securely within the groove(s) or channel(s) 22." Because the protrusions contact the fiber, **the flat area around the protrusions 16 (the alleged planar clamp portion) cannot also make contact with the fiber.** For at least this reason, Harman fails to anticipate independent claim 32.

With regard to claims 36, 40 and 47, these claims have also been rejected by the Examiner under 35 U.S.C. § 102(b) as allegedly being anticipated by Harman et al. (U.S. Patent No. 5,717,813). Applicants respectfully disagree.

Initially, Applicants note that claims 36, 40 and 47 depend from independent claim 32. As such, Applicants respectfully assert that these claims are allowable at least by virtue of their dependency from claim 32.

In addition, with respect to claims 36 and 47, the Examiner alleges that “the specified limitations are considered inherently present in Harman’s device because Harman’s device has the same exact physical structure to what is being claimed.” This is simply incorrect.

For example, with regard to claim 36, Harman fails to disclose, or even suggest an “optical fiber fixing system ... wherein, when the optical fiber is supported in the first and second grooves, a **ridgeline of the optical fiber protrudes out of the first groove above the first surface of the fixing body**, and is contained within the second groove below the second surface of the fixing body.”

In support of his position, the Examiner simply relies on FIG. 1 as allegedly teaching the above-recited limitation. This is improper.

It is well known that “[w]hen the reference does not disclose that the drawings are to scale and is silent as to dimensions, arguments based on measurement of the drawing features are of little value.” (See MPEP § 2125; *Hockerson-Halberstadt, Inc. v. Avia Group Int’l*, 222 F.3d 951, 956, 55 USPQ2d 1487, 1491 (Fed. Cir. 2000)).

In this case, none of the figures, or their accompanying descriptions, teach or suggest the above-recited limitation. As such, the Examiner’s reliance on a size relationship between the optical fiber and the alleged groove is improper.

With respect to claim 47, this claim depends from claim 36. As such, claim 47 is allowable at least by virtue of its dependency from claim 36. Additionally, with respect to claim 47, Harman fails to disclose, or even suggest, “**the planar clamp portion** of the pressing body **comprises a protrusion extending substantially perpendicularly to the first groove**; and the

protrusion is arranged to press against the ridgeline of the optical fiber when the optical fiber is supported in the first groove.”

Instead, the Examiner has argued that the “flat surfaces surrounding the protrusions 16” correspond to the planar clamp portion. (See Office Action, page 5, also relying on FIG. 1). Based on the Examiner’s own position with respect to claim 32, and the disclosure of FIG. 1, there is simply **no disclosure of any protrusion located in the flat portion** of the lid 14.

For at least this additional reason, Applicants respectfully assert that claim 47 is not anticipated or rendered obvious in view of the cited art of record.

### **III. Rejections Under 35 U.S.C. § 103**

#### **The Combination of Ueda or Hirayama and Tamekuni**

The Examiner has rejected claim 5 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ueda or Hirayama as applied to claim 1 above, and further in view of Tamekuni et al. (U.S. Patent No. 5,993,070).

With respect to claim 5, this claim depends from claim 1. As such, Applicants respectfully assert that claim 5 is allowable at least by virtue of its dependency from claim 1.

#### **The Combination of Ueda or Hirayama**

The Examiner has rejected claims 13-17 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ueda or Hirayama as applied to claims 1 and 12 above.

With respect to claims 13-17, these claims depend from claim 1. As such, Applicants respectfully assert that claims 13-17 are allowable at least by virtue of their dependency from claim 1.

*The Combination of Ueda or Hirayama and Applicant's Admitted Prior Art*

The Examiner has rejected claims 30 and 31 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Ueda or Hirayama as applied to claim 1 above, and further in view of Applicant's allegedly admitted prior art.

With respect to claims 30 and 31, these claims depend from claim 1. As such, Applicants respectfully assert claims 30 and 31 are allowable at least by virtue of their dependency from claim 1.

*The Combination of Harman and Tamekuni*

The Examiner has rejected claim 39 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Harman as applied to claim 32 above, and further in view of Tamekuni.

With respect to claim 39, this claim depends from claim 32. As such, Applicants respectfully assert that claim 39 is allowable at least by virtue of its dependency from claim 32.

*The Harman Reference*

Claims 41 and 42 have been rejected by the Examiner under 35 U.S.C. § 103(a) as allegedly being unpatentable over Harman as applied to claim 32 above.

With respect to claims 41 and 42, these claims depend from claim 32. As such, Applicants respectfully assert that claims 41 and 42 are allowable at least by virtue of their dependency from claim 32.

*The Combination of Harman and Applicant's Admitted Prior Art*

The Examiner has rejected claims 44 and 45 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Harman as applied to claim 32 above, and further in view of Applicant's allegedly admitted prior art.

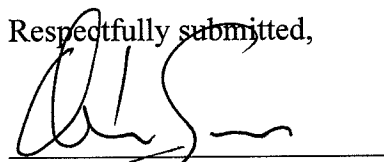
With respect to claims 44 and 45, these claims depend from claim 32. As such, Applicants respectfully assert that claims 44 and 45 are allowable at least by virtue of their dependency from claim 32.

**IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

This Application is being filed via the USPTO Electronic Filing System (EFS). Applicants herewith petition the Director of the USPTO to extend the time for reply to the above-identified Office Action for an appropriate length of time if necessary. Any fee due under 37 U.S.C. § 1.17(a) is being paid via the USPTO Electronic Filing System (EFS). The USPTO is also directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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